Colchester Public Schools

POLICY REPLACEMENT BY SHIPMAN AND GOODWIN

5131.911P

STUDENTS

BULLYING PREVENTION AND INTERVENTION

The Colchester Board of Education (the "Board") is committed to creating and maintaining an educational environment that is physically, emotionally and intellectually safe and thus free from bullying, teen dating violence, harassment and discrimination. In accordance with state law and the Board's Safe School Climate Plan, the Board expressly prohibits any form of bullying behavior on school grounds; at a school-sponsored or school-related activity, function or program, whether on or off school grounds; at a school bus stop; on a school bus or other vehicle owned, leased or used by a local or regional board of education; or through the use of an electronic device or an electronic mobile device owned, leased or used by the Board.

The Board also prohibits any form of bullying behavior outside of the school setting if such bullying (i) creates a hostile environment at school for the student against whom such bullying was directed, (ii) infringes on the rights of the student against whom such bullying was directed at school, or (iii) substantially disrupts the education process or the orderly operation of a school. Discrimination and/or retaliation against an individual who reports or assists in the investigation of an act of bullying is likewise prohibited.

Students who engage in bullying behavior or teen dating violence shall be subject to school discipline, up to and including expulsion, in accordance with the Board's policies on student discipline, suspension and expulsion, and consistent with state and federal law.

For purposes of this policy, "**Bullying"** means the repeated use by one or more students of a written, oral or electronic communication, such as cyberbullying, directed at or referring to another student attending school in the same school district, or a physical act or gesture by one or more students repeatedly directed at another student attending school in the same school district, that:

(1) causes physical or emotional harm to such student or damage to such student's property;

(2) places such student in reasonable fear of harm to himself or herself, or of damage to his or her property;

(3) creates a hostile environment at school for such student;

(4) infringes on the rights of such student at school; or

(5) substantially disrupts the education process or the orderly operation of a school.

Bullying shall include, but not be limited to, a written, verbal or electronic communication or physical act or gesture based on any actual or perceived differentiating characteristics, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity and expression, socioeconomic status, academic status, physical appearance, or mental, physical, developmental or sensory disability, or by association with an individual or group who has or is perceived to have one or more of such characteristics.

For purposes of this policy, **"Cyberbullying"** means any act of bullying through the use of the Internet, interactive and digital technologies, cellular mobile telephone or other mobile electronic devices or any electronic communications.

For purposes of this policy, **"Teen Dating Violence"** means any act of physical, emotional or sexual abuse, including stalking, harassing and threatening, that occurs between two students who are currently in or who have recently been in a dating relationship.

Consistent with the requirements under state law, the Board authorizes the Superintendent or his/her designee(s), along with the Safe School Climate Coordinator, to be responsible for developing and implementing a Safe School Climate Plan in furtherance of this policy. As provided by state law, such Safe School Climate Plan shall include, but not be limited to provisions which:

(1) Enable students to anonymously report acts of bullying to school employees and require students and the parents or guardians of students to be notified at the beginning of each school year of the process by which students may make such reports;

(2) enable the parents or guardians of students to file written reports of suspected bullying;

(3) require school employees who witness acts of bullying or receive reports of bullying to orally notify the safe school climate specialist, or another school administrator if the safe school climate specialist is unavailable, not later than one school day after such school employee

witnesses or receives a report of bullying, and to file a written report not later than two school days after making such oral report;

(4) require the safe school climate specialist to investigate or supervise the investigation of all reports of bullying and ensure that such investigation is completed promptly after receipt of any written reports made under this section and that the parents or guardians of the student alleged to have committed an act or acts of bullying and the parents or guardians of the student against whom such alleged act or acts were directed receive prompt notice that such investigation has commenced;

(5) require the safe school climate specialist to review any anonymous reports, except that no disciplinary action shall be taken solely on the basis of an anonymous report;

(6) include a prevention and intervention strategy for school employees to deal with bullying and teen dating violence;

(7) provide for the inclusion of language in student codes of conduct concerning bullying;

(8) require each school to notify the parents or guardians of students who commit any verified acts of bullying and the parents or guardians of students against whom such acts were directed not later than forty-eight hours after the completion of the investigation described in subdivision (4), above;

(9) require each school to invite the parents or guardians of a student against whom such act was directed to a meeting to communicate to such parents or guardians the measures being taken by the school to ensure the safety of the student against whom such act was directed and policies and procedures in place to prevent further acts of bullying;

(10) require each school to invite the parents or guardians of a student who commits any verified act of bullying to a meeting, separate and distinct from the meeting required in subdivision (9) above, to discuss specific interventions undertaken by the school to prevent further acts of bullying;

(11) establish a procedure for each school to document and maintain records relating to reports and investigations of bullying in such school and to maintain a list of the number of verified acts of bullying in such school and make such list available for public inspection, and annually

report such number to the Department of Education and in such manner as prescribed by the Commissioner of Education;

(12) direct the development of case-by-case interventions for addressing repeated incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual that may include both counseling and discipline;

(13) prohibit discrimination and retaliation against an individual who reports or assists in the investigation of an act of bullying;

(14) direct the development of student safety support plans for students against whom an act of bullying was directed that address safety measures the school will take to protect such students against further acts of bullying;

(15) require the principal of a school, or the principal's designee, to notify the appropriate local law enforcement agency when such principal, or the principal's designee, believes that any acts of bullying constitute criminal conduct;

(16) prohibit bullying (A) on school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by a local or regional board of education, or through the use of an electronic device or an electronic mobile device owned, leased or used by the Board, and (B) outside of the school setting if such bullying (i) creates a hostile environment at school for the student against whom such bullying was directed, or (ii) infringes on the rights of the student against whom such bullying was directed at school, or (iii) substantially disrupts the education process or the orderly operation of a school;

(17) require, at the beginning of each school year, each school to provide all school employees with a written or electronic copy of the school district's safe school climate plan;

(18) require that all school employees annually complete the training described in Conn. Gen. Stat. §§ 10-220a or 10-222j related to the identification, prevention and response to bullying; and

(19) provide on the Board's website training materials to school administrators regarding the prevention of and intervention in discrimination against and targeted harassment of students based on

such students' (1) actual or perceived differentiating characteristics, such as race, color, religion, ancestry, national origin, gender, sexual orientation, gender identity or expression, socioeconomic status, academic status, physical appearance or mental, physical, developmental or sensory disability, or (2) association with individuals or groups who have or are perceived to have one or more of such characteristics.

The notification required pursuant to subdivision (8) (above) and the invitation required pursuant to subdivisions (9) and (10) (above) shall include a description of the response of school employees to such acts and any consequences that may result from the commission of further acts of bullying. Any information provided under this policy or accompanying Safe School Climate Plan shall be provided in accordance with the confidentiality restrictions imposed under the Family Educational Rights Privacy Act ("FERPA") and the district's Confidentiality and Access to Student Information policy and regulations.

The Board shall submit its Safe School Climate Plan to the State Department of Education for review and approval. Not later than thirty (30) calendar days after approval by the Department, the Board shall make such plan available on the Board's and each individual school in the school district's web site and ensure that the Safe School Climate Plan is included in the school district's publication of the rules, procedures and standards of conduct for schools and in all student handbooks.

Legal References:

Public Act 19-166Conn. Gen. Stat. § 10-145a

Conn. Gen. Stat. § 10-145o

Conn. Gen. Stat. § 10-220a

Conn. Gen. Stat. § 10-222d

Conn. Gen. Stat. § 10-222g

Conn. Gen. Stat. § 10-222h

Conn. Gen. Stat. § 10-222j

Conn. Gen. Stat. § 10-222k

Conn. Gen. Stat. § 10-222l

Conn. Gen. Stat. §§ 10-233a through 10-233f

~~The Colchester Board of Education is committed to creating and maintaining safe and positive school climates that are free from bullying, harassment and discrimination. To that end, Colchester school employees are expected to model positive, respectful, and supportive behavior toward students, parents, guardians/caregivers, and staff and help to create a collaborative school atmosphere that promotes appropriate social behavior by students in support of others.~~

~~Bullying behavior is strictly prohibited, and students who are determined to have engaged in such behavior are subject to disciplinary action, which may include suspension or expulsion from school. The district's commitment to addressing bullying behavior, however, involves a multi-faceted approach, which includes education and the promotion of a school atmosphere in which bullying will not be tolerated by students or school staff.~~

~~In accordance with state law and the Board's Safe School Climate Plan, the Board expressly prohibits any form of bullying behavior on school grounds; at a school-sponsored or school-related activity, function or program, whether on or off school grounds; at a school bus stop; on a school bus or other vehicle owned, leased or used by a local or regional board of education; or through the use of an electronic device or an electronic mobile device.~~

~~The Board also prohibits any form of bullying behavior outside of the school setting if such bullying (i) creates a hostile environment at school for the student against whom such bullying was directed, (ii) infringes on the rights of the student against whom such bullying was directed at school, or (iii) substantially disrupts the education process or the orderly operation of a school. Discrimination and/or retaliation against an individual who reports or assists in the investigation of an act of bullying is likewise prohibited.~~

~~In accordance with the Board's policies on student discipline, and consistent with state and federal law, students who engage in bullying behavior shall be subject to school discipline and/or other appropriate interventions, up to and including suspension and/or expulsion,~~

~~Definitions of Bullying and Cyberbullying~~

For purposes of this policy, "**Bullying"** means the repeated use by one or more students of a written, verbal or electronic communication, such as cyberbullying, or a physical act or gesture directed at another student attending school in the same school district that:

1) causes physical or emotional harm to such student or damage to such student's property;

2) places such student in reasonable fear of harm to himself or herself, or of damage to his or her property;

3) creates a hostile environment at school for such student;

4) infringes on the rights of such student at school; or

5) substantially disrupts the education process or the orderly operation of a school.

Bullying shall include, but not be limited to, a written, verbal or electronic communication or physical act or gesture based on any actual or perceived differentiating characteristics, such as race, sex, color, religion, ancestry, age, national origin, gender, sexual orientation, gender identity and expression, socioeconomic status, academic status, physical appearance, or mental, physical, developmental or sensory disability, or by association with an individual or group who has or is perceived to have one or more of such characteristics.

For purposes of this policy, **"Cyberbullying"** means any act of bullying through the use of the Internet, interactive and digital technologies, cellular mobile telephone or other mobile electronic devices or any electronic communications.

Potential OCR Violations

When bullying behavior targets a student based on a protected class, it may also be a violation of state and/or federal civil rights laws and must therefore also be investigated as a complaint as defined by federal legislation per the USDE Office for Civil Rights:

Title VI of the Civil Rights Act of 1964 prohibits discrimination based on race, color, or national origin in programs or activities receiving federal financial assistance.

Title IX of the Education Amendments of 1972 prohibits discrimination based on sex in education programs and activities that receive federal financial assistance.

Section 504 of the Rehabilitation Act of 1973 prohibits discrimination based on disability in programs or activities receiving federal financial assistance.

Title II of the Americans with Disabilities Act of 1990 prohibits discrimination based on disability in public entities.

I. Other Definitions

A. **"Electronic communication"** means any transfer of signs, signals, writing, images, sounds, data or intelligence of any nature transmitted in whole or in part by a wire, radio, electromagnetic, photoelectronic or photo-optical system;

B. "Hostile environment" means a situation in which bullying among students is sufficiently severe or pervasive to alter the conditions of the school climate;

C. "Mobile electronic device" means any hand-held or other portable electronic equipment capable of providing data communication between two or more individuals, including, but not limited to, a text messaging device, a paging device, a personal digital assistant, a laptop computer, equipment that is capable of playing a video game or a digital video disk, or equipment on which digital images are taken or transmitted;

D. "Outside of the school setting" means at a location, activity or program that is not school related, or through the use of an electronic device or a mobile electronic device that is not owned, leased or used by a local or regional board of education;

E. "Prevention and intervention strategy" may include, but is not limited to,

(1) implementation of Positive Behavioral Interventions and Supports or another evidence-based model for safe school climate/bullying prevention,

(2) school rules prohibiting bullying, harassment and intimidation and establishing appropriate consequences for those who engage in such acts,

(3) adequate adult supervision of outdoor areas, hallways, the lunchroom and other specific areas where bullying is likely to occur,

(4) inclusion of grade-appropriate bullying education and prevention curricula in kindergarten through high school,

(5) individual interventions with the bully, parents and school employees, and interventions with the bullied child, parents and school employees,

(6) school-wide training related to safe school climate,

(7) student peer training, education and support, and

(8) promotion of parent involvement in bullying prevention through individual or team participation in meetings, trainings and individual interventions.

F. "School climate" means the quality and character of school life with a particular focus on positive relationships within the school community between and among students and adults.

G. "School employee" means (1) a teacher, substitute teacher, school administrator, school superintendent, guidance counselor, psychologist, social worker, nurse, physician, school paraprofessional or coach employed by a local or regional board of education or working in a public elementary, middle or high school; or (2) any other individual who, in the performance of his or her duties, has regular contact with students and who provides services to or on behalf of students enrolled in a public elementary, middle or high school, pursuant to a contract with the local or regional board of education.

H. **"School-Sponsored Activity"** shall mean any activity conducted on or off school property (including school buses and other school-related vehicles) that is sponsored, recognized or authorized by the Board of Education.

II. Leadership and Administrative Responsibilities

A. Safe School Climate Coordinator

For the school year commencing July 1, 2012, and each school year thereafter, the Superintendent shall appoint, from existing school district staff, a District Safe School Climate Coordinator ("Coordinator"). The Coordinator shall:

1. be responsible for implementing the district's Safe School Climate Plan ("Plan");

2. collaborate with Safe School Climate Specialists, the Board, and the Superintendent to prevent, identify and respond to bullying in district schools;

3. provide data and information, in collaboration with the Superintendent, to the Department of Education regarding bullying;

4. meet with Safe School Climate Specialists at least twice during the school year to discuss issues relating to bullying in the school district and to make recommendations concerning amendments to the district's Plan.

B. Safe School Climate Specialist

For the school year commencing July 1, 2012, and each school year thereafter, the principal of each school (or principal's designee) shall serve as the Safe School Climate Specialist. The Safe School Climate Specialist shall investigate or supervise the investigation of reported acts of bullying and act as the primary school official responsible for preventing, identifying and responding to reports of bullying in the school.

School employees who witness suspected acts of bullying or receive reports of bullying are required to to orally notify the safe school climate specialist, or another school administrator if the safe school climate specialist is unavailable, not later than one school day after such school employee witnesses or receives a report of bullying, and to file a written report not later than two school days after making such oral report.

In addition to prevention and intervention strategies, administrators, teachers and other professional employees should utilize opportunities to educate students about bullying and help eliminate bullying behavior through class discussions, counseling, and reinforcement of socially-appropriate behavior. Administrators, teachers and other professional employees should intervene promptly whenever they observe student conduct that has the purpose or effect of ridiculing, harassing, humiliating or intimidating another student, even if such conduct does not meet the formal definition of "bullying."

IV. Development and Review of Safe School Climate Plan

~~Consistent with the requirements under state law, the Colchester Board of Education authorizes the Superintendent or his/her designee(s), along with the Safe School Climate Coordinator, to be responsible for developing and implementing a Safe School Climate Plan in furtherance of this policy. As provided by state law, our Safe School Climate Plan:~~

~~(1) Enables students to anonymously report acts of bullying to school employees and requires students and the parents/guardians/caregivers of students to be notified annually of the process by which students may make such reports;~~

~~(2) enables/assists the parents/guardians/caregivers of students to file written reports of suspected bullying;~~

~~(3) requires the safe school climate specialist to investigate or supervise the investigation of all reports of bullying and ensure that such investigation is completed promptly after receipt of any written reports made under this section;~~

~~(4) requires the safe school climate specialist to review any anonymous reports, except that no disciplinary action shall be taken solely on the basis of an anonymous report;~~

~~(5) includes a prevention and intervention strategy for school employees to deal with bullying;~~

~~(6) provides for the inclusion of language in student codes of conduct concerning bullying;~~

~~(7) requires each school to notify the parents/guardians/caregivers of students who commit any verified acts of bullying and the parents/guardians/caregivers of students against whom such acts were directed not later than forty-eight hours after the completion of the investigation;~~

~~(8) requires a school administrator to invite the parents/guardians/caregivers of a student who commits any verified act of bullying and the parents/guardians/caregivers of the student against whom such act was directed to separate meetings to communicate to such parents/guardians/caregivers the measures being taken by the school to ensure the safety of the student against whom such act was directed and to prevent further acts of bullying;~~

~~(9) establishes a procedure for each school to document and maintain records relating to reports and investigations of bullying in such school and to maintain a list of the number of verified acts of bullying in such school and make such list available for public inspection, and annually report such number to the Department of Education and in such manner as prescribed by the Commissioner of Education;~~

~~(10) directs the development of case-by-case interventions for addressing repeated incidents of bullying against a single individual or recurrently perpetrated bullying incidents by the same individual that may include both counseling and discipline;~~

~~(11) prohibits discrimination and retaliation against an individual who reports or assists in the investigation of an act of bullying;~~

~~(12) directs the development of student safety support plans for students against whom an act of bullying was directed that address safety measures the school will take to protect such students against further acts of bullying;~~

~~(13) requires the principal of a school, or the principal's designee, to notify the appropriate local law enforcement agency when such principal, or the principal's designee, believes that any acts of bullying constitute criminal conduct;~~

~~(14) prohibits bullying (A) on school grounds, at a school-sponsored or school-related activity, function or program whether on or off school grounds, at a school bus stop, on a school bus or other vehicle owned, leased or used by a local or regional board of education, or through the use of an electronic device or an electronic mobile device owned, leased or used by the local or regional board of education, and (B) outside of the school setting if such bullying (i) creates a hostile environment at school for the student against whom such bullying was directed, (ii) infringes on the rights of the student against whom such bullying was directed at school, or (iii) substantially disrupts the education process or the orderly operation of a school;~~

~~(15) requires, at the beginning of each school year, each school to provide all school employees with a written or electronic copy of the school district's safe school climate plan; and~~

~~(16) requires that all school employees annually complete the training described in Conn. Gen. Stat. §10-220a.~~

~~The notification required pursuant to subdivision (7) (above) and the invitation required pursuant to subdivision (8) (above) includes a description of the response of school employees to such acts and any consequences that may result from the commission of further acts of bullying. Any information provided under this policy or accompanying Safe School Climate Plan shall be provided in accordance with the confidentiality restrictions imposed under the Family Educational Rights Privacy Act ("FERPA") and the district's Confidentiality and Access to Student Information policy and regulations.~~

~~The Colchester Board of Education approved the Safe School Climate Plan developed pursuant to this policy and submitted such plan to the Department of Education. The Board has made such plan available on the Board's and each individual school in the school district's web site and will ensure that the Safe School Climate Plan is included in the school district's publication of the rules, procedures and standards of conduct for schools and in all student handbooks.~~

~~Legal References:~~

~~Public Act 11-232, *An Act Concerning the Strengthening of School Bullying Laws*~~

~~Conn. Gen. Stat. 10-145a~~
~~Conn. Gen. Stat. 10-145o~~
~~Conn. Gen. Stat. 10-220a~~
~~Conn. Gen. Stat. § 10-222d~~
~~Conn. Gen. Stat. 10-222g~~
~~Conn. Gen. Stat. 10-222h~~
~~Conn. Gen. Stat. §§ 10-233a through 10-233f~~

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COLCHESTER PUBLIC SCHOOLS
Colchester, Connecticut